

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 ) CASE NO. CR11-120-JCC  
Plaintiff, )  
 )  
v. )  
 ) DETENTION ORDER  
FREDERICK NNABUIFE, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Conspiracy to Distribute Marijuana

Date of Detention Hearing: June 17, 2011.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant was arrested in Las Vegas, where he has been living since 2004. He  
04 is a former resident of the Seattle area. He has a prior arrest for a drug trafficking-related case  
05 which is pending sentencing in Nevada. Sentencing was previously set for 5/25/11 in that  
06 case, but the defendant was in custody for the instant offense.

07 3. Defendant asserts that he has citizenship in the United States and Nigeria. He  
08 indicates that his girlfriend has the Nigerian passport, but that the U.S. passport has been lost.  
09 Defendant indicates that he came to the United States as a teenager in 1991 pursuant to an  
10 immigration lottery, becoming a lawful permanent resident and then a citizen in 1998. He  
11 asserts that he changed his name from Justin Nnanabu to Frederick Nnabuife. The AUSA  
12 proffers that ICE agents have determined that two persons with that name have the same social  
13 security number but different dates of birth. Further, the AUSA proffers that two dates of birth  
14 are associated with the name of Jerry Nnanabu, defendant's uncle who resides in Federal Way,  
15 but the same social security number. Defendant asserts that his uncle is Jerry Nnanabu and his  
16 cousin is Jerry Nnanabu, Jr. There is no explanation why either the two Jerry Nnanabus or the  
17 two Justin Nnanabus have the same social security number.

18 4. Taken as a whole, the record does not effectively rebut the presumption that no  
19 condition or combination of conditions will reasonably assure the appearance of the defendant  
20 as required and the safety of the community.

21 It is therefore ORDERED:

22 1. Defendant shall be detained pending trial and committed to the custody of the Attorney

01 General for confinement in a correction facility separate, to the extent practicable, from  
02 persons awaiting or serving sentences or being held in custody pending appeal;

03 2. Defendant shall be afforded reasonable opportunity for private consultation with  
04 counsel;

05 3. On order of the United States or on request of an attorney for the Government, the  
06 person in charge of the corrections facility in which defendant is confined shall deliver  
07 the defendant to a United States Marshal for the pupose of an appearance in connection  
08 with a court proceeding; and

09 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
10 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
11 Officer.

12 DATED this 17th day of June, 2011.

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15 Mary Alice Theiler  
16 United States Magistrate Judge  
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